567 control by the canton chiefs in whose territories they are located.
622 The inhabitants pay nothing to the kombéré nor can the chief require any labor service in his fields or for the upkeep of his houses. They recognize only the Mogho Naba as chief.

567 Kamboinsé. True Kamboinsé are not Mossi; they came from the west during the reign of Naba Waraga (nineteenth successor of Oubri). Like the dapobi of the Dapoya section they came with guns (their chief even had a [ceremonial] stool) to put themselves under the authority of the Mogho Naba. Their chief, Gambéré by name, told the emperor that they had come to offer themselves as soldiers and slaves to help him pacify his territory. The Kamboinsé occupy a section of the town behind the Catholic mission on the right side of the road to Pô.

When the emperor's native gunners found themselves faced with competition from foreigners, they countered by appointing their own chief who took the title of Kamboin Naba. They are, however, different from the true Kamboinsé, and they live a dozen or so kilometers from Ouagadougou in the villages of Kamboinsé and Wobrigré.

While the first-mentioned Kamboinsé are voluntary slaves, the others are true slaves captured in war or bought by the emperor.

567 426 [92] Use of slaves as security for debt. Captives might be used to settle debts. It should be noted that the right to own slaves was not limited to the emperor and his vassals. Any prosperous Moaga (dakangré) might own them.

[612] If the head of a household died leaving debts, the heirs could sell a few slaves to pay off the obligation. If, however, the creditor preferred to have the slaves, the latter were put up for appraisal just as though they were livestock.

In the same way, slaves could be traded for horses, garments, or even loads of kola nuts.

567 If slaves were maltreated by their owners, providing that the latter were not of the nobility, they could put themselves under the protection of the naba. In that event they ceased to belong to their former owners. On the other hand, if a Moaga took it upon himself [682] to kill a slave, he at once had to pay a fine of 100,000 cowries to his canton chief as a blood price.

567 439 Ordinarily, captives who were brought back from the wars were at once sold to the Haoussa [Hausa] or Yarcé [Yarse] who traded

695 The procedure was the same for all, men and women. The sons
681 of nabas, the nakomsé, however, were neither tried nor punished in
554 public. They were not tied with ropes, but with strips of fabric; and if condemned to death, they were hanged rather than clubbed to death. In any case, complaints against them were extremely rare. The sons of a powerful naba could do anything with impunity.

681 For examples, here are a few crimes and their respective punishments. Of course, there was no written code, no formal scale of penalties. Everything depended on custom and on the whim of the
696 judge. Thus, the wealthy could obtain sentences in their favor by
691 paying the judges, and thieves could avoid punishment by sharing their loot with the naba. Otherwise, a thief caught in the act was
685 flogged, sometimes to death. He was condemned to several months in irons, and exposed to public ridicule before the naba's hut; he had to restore what he had taken, and his family was held responsible. If he repeated the offense, he was led to the marketplace with a rope around his neck; he was supplied with an abundance of meat and dolo /beer/, and then clubbed to death at the foot of a tree. In Ouagadougou he was sometimes made a eunuch instead. This was almost the equivalent of a death sentence, because the operation was carried out in such barbarous fashion that death often ensued. French justice more leniently imprisons the thieves, a cause of complaint by honest people who find the punishment too mild.

682 In case of willful murder, the killer was put to death; if he could
683 not be found, a member of his family was executed in his place.
672 In case of a brawl, no attempt was made to determine who had started the fight or who was in the right. (Manslaughter was punished by a fine paid to the victim's family. The right /26/ of self-defense was, of course, recognized. If blows and wounds had been inflicted, the adversaries were put in irons.)

681 Old women were often accused of being witches and of eating
683 children's souls. If their crime was considered proved, if the sorcerers
888 consulted declared some old woman guilty of a baby's death, she was put to death in very cruel fashion: a second opening was made in a clay pot so that her head could be put completely within it; then the pot was heated intensely and placed over the head of the unfortunate woman.

685 If a goat or sheep caused damage to a field, the animal could be killed on the spot. The owner had to be notified, but he was not

11: Skinner E-5 (1955-1957) 1964
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The newly elected monarch secreted himself either at the Samande Nabila's home or elsewhere in the capital until daybreak. Tradition holds that if he were killed before being officially proclaimed before his subjects as the new ruler, the assassin could become Mogho Naba.[19]

The public ceremonies marking the official proclamation of the new ruler's accession to power took place on the following day. Early that morning, the monarch left his secret sleeping quarters and proceeded to the Koumbi Naba's house. Here he dressed in his white garments and mounted an old, unsaddled horse. The Baloum Naba then gave him a sack containing the namtibo, which he placed over his shoulder, and the Kaizi Naba led him out of the courtyard by the women's door. As the ruler's horse passed through the gate, his sister, the *Napoko* ("female ruler"), cried, "The sun has reappeared! The fire is relighted! The earth lives again!" A large crowd of musicians and warriors who had been alerted by the ministers shouted and danced as they accompanied the monarch, who circled the compound three times.[20] The ruler then reentered the compound, and this time he came out through the men's door as a sign of his full status. Here he was greeted by the Ouidi Naba, who proclaimed in a loud voice, "Mossi people, here is the Mogho Naba!" The warriors shouted and fired their muskets, and the musicians played. Then all the dignitaries and their followers solemnly prostrated themselves and paid homage and swore allegiance to their monarch. He, in turn, listened attentively when his ministers and some of the elder chiefs gave him advice about how the affairs of state should be conducted. After each declaration of loyalty or word of counsel, the people shouted in praise of their ruler. The Bendere Naba, accompanied by his musicians, then recited the ruler's genealogy, announced the pledges the new monarch had made to his people, and acclaimed him by his royal title, "Mogho Naba [X]." From this moment on, no child born during his reign could bear the ruler's name, and those persons who already bore it called themselves *Nab'yure* ("king's name").

As the next stage in the ceremony the Mogho Naba, accompanied by his retinue, visited the various wards in the capital. In each he was proclaimed ruler and received the allegiance of both Mossi and non-Mossi ward chiefs. He visited the wards controlled by such men as the Loumbila Naba, the Sapone Naba, and the Ouagadougou Naba, and at each stop the ward chief declared, "People of [X], here is your new sovereign." Having been acknowledged by the leading chiefs of the capital, the new ruler then returned to his host's house. He emerged later in the day to visit the compound of a palace attendant, the Samande Nabila, where he sat under a

He was also liable to be put in stocks for several days, and when released he was warned against visiting the local markets, where he might be tempted to renew his illicit relations. A nobleman convicted of adultery was often merely warned or fined, since his movements could not be restricted. But if a man caught his wife and another man in *flagrante delicto* and killed them, his act was considered justifiable homicide (even if the slain man was a noble), and he went free. If, however, he killed the lover but spared his wife, he had to send her to the chief's household. Here she was made to perform hard work under the supervision of the palace guards until it was believed that she had reformed. A man who was experiencing difficulties with an unfaithful wife and feared he might eventually kill her or her paramour also sent her to the chief's compound for a few months.

The Mossi have always been great creditors and debtors, and cases concerning indebtedness seem to have been next in frequency at the district court. The chief usually dismissed cases of indebtedness brought against minors, because it was considered unseemly for adults to give credit or to loan valuable property to youths not yet of age. Thus, if the minor's family refused to make restitution, the creditor usually had no redress. However, if a woman borrowed property and refused to return it, her husband's lineage was held responsible. Similarly, if an adult male borrowed anything and refused to return it or to do so on time, the case was taken to the local court and eventually to the district court. The creditor was asked to supply witnesses to the loan, and if the chief was satisfied that the loan had been made under the conditions specified, the debtor was ordered to make restitution. If the debtor claimed bankruptcy, the chief ordered that his goods be seized and sold, and that restitution be made to the creditor. If the debtor was truly destitute, his relatives were compelled to pay his debts. The collective responsibility of the babissi for the debts of its members was seen most clearly in cases where men died in a state of indebtedness. The creditors were allowed to summon the debtor's babissi to court, and if proof of the debt was established, the relatives were compelled to repay. If they failed to do so, the chief's police seized and sold their goods to repay the debt.

Cases dealing with violations of civil contracts were somewhat similar. The Mossi did not believe in the axiom *caveat emptor*. If a man sold an animal that died within a week for no apparent reason, the chief ordered an investigation. If it was found that the animal had been ill when sold, the chief ordered that the buyer be reimbursed. If the investigation showed that the animal had been healthy when sold, no restitution was made. Similarly, if a man borrowed an ass or an ox to transport goods and the animal

11: Skinner E-5 (1955-1957) 1964
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a practice whereby nobles deprived commoners of their property. Those nobles who lived among commoners quite often confiscated their neighbors' property. But this was not regarded as theft and was not punishable as such, although a rapacious nobleman could be sanctioned for terrorizing and "spoiling" a village. If a nobleman was caught performing an act that *was* considered theft, or if he was accused and found guilty of theft, he was severely punished. During Kaglere's reign, the people of a small village suffered a series of livestock thefts. One day, while the friends of a village chief were sitting with him, a dog came out of the chief's compound dragging an animal skin. The men recognized the skin as that described for a stolen goat, and decided to investigate. In the chief's courtyard they discovered the hole from which the dog had unearthed the skin. They also found the skins of several other stolen animals. The villagers took the village chief to the district chief, who found him guilty and exiled him from the region. In passing judgment, the district chief told him that he had been elected "to care for the village," but that he had betrayed his trust by robbing his own people.

According to Mossi law, willful homicide or murder was punishable by execution. The Mossi did not use wergild or "blood money," but insisted on the *lex talionis,* which they interpreted as "a life for a life." They did not believe that money or any other valuables could compensate for the life of a man, nor would they allow a slave to be executed in place of the murderer. They believed that only by executing the murderer himself could they prevent his victim's relatives from resorting to vengeance and thus "spoiling" the district or village.

A man who grievously wounded another was apprehended, bound, and taken to the village chief and subsequently to the district chief. Here he was kept in stocks in the serfs' quarter without being tried until his victim either died or recovered. If his victim recovered and the judge found that the wound had been inflicted accidentally, the defendant was fined or had his goods confiscated, but he was released. If the judge found that the victim had been wounded in a fair fight, the prisoner was usually censured and dismissed. The chief often warned the wounded man that he ought to have lived up to the Mossi axiom that a grown man is always able to protect himself. If, however, the trial revealed that the prisoner had ambushed his victim with the intent to kill, he either was fined several cows or had his entire property confiscated. District chiefs are known to have executed the perpetrators of cowardly ambushes even though their victims recovered.

If a man died at the hands of another, an inquest was held immediately. If the killing had been accidental or committed in self-defense, or if it was

found to have been justified—that is, if the victim was a thief or a nocturnal intruder—then the accused was acquitted or simply fined. If, however, the accused was found guilty of murder, he was sentenced to die, and the mode of execution was at the chief's pleasure. The chief surrendered the prisoner to his executioners, serfs who lived in the Baglere ward. They took him into the woods and carried out the sentence by strangulation, hanging, decapitation, clubbing, or stoning.

The perpetrator of an unusually heinous crime was often ordered to kill himself with a poisoned arrow. This form of execution was feared most, because it tested the murderer's mettle and called into play the coercive force of his lineage if he proved to be a coward. When such an execution was ordered, the district chief had a poisoned arrow prepared and brought to the murderer's father, his brother, or his father's brother's son. The relative gave the arrow to the condemned man, and, while apologizing for his painful mission, explained that the crime had to be expiated. If the murderer agreed to kill himself, his relatives prepared food and drink for him while his grave was dug. Some proud and brave men helped their relatives dig the oblong-shaped grave required for a murderer; some even insisted on digging it themselves. When both the food and the grave had been prepared, the murderer bade his relatives farewell, took the food and the poisoned arrow, and went into a hut. Here he ate the food and afterward killed himself by pushing the poisoned arrow into his leg. In some cases he had to be provided with a second arrow to hasten his death. If a cowardly murderer refused to kill himself, one of his relatives offered to die in his stead. He told the murderer that death was preferable to the knowledge that his lineage brother was a coward. What would happen, he asked the murderer, if he saw a relative being harmed? Would he choose his own safety rather than run the risk of death? The other relatives asked the same questions, and this subtle coercion was usually sufficient to induce the most cowardly man to kill himself. There are no reports of a murderer's permitting a relative to die for him; life would have been impossible for him afterward. One suspects that if ever a murderer had attempted to elude his fate, the district chief would have had him executed.

The district court also prescribed capital punishment for individuals convicted of arson, abduction, witchcraft, or lese majesty. A person convicted of willfully setting fire to someone's hut or crops was put to death even if no one was killed in the resulting fire; he was held to have jeopardized the life and livelihood of his victims. Similarly, the rare person convicted of threatening the well-being of others through the practice of witchcraft was usually tortured and killed. Conviction usually followed the testimony of witnesses or the confession of the accused.